



LEGISLATURE

MINUTES

EXECUTIVE OFFICES AND CRIMINAL JUSTICE APPROPRIATIONS SUBCOMMITTEE

Friday, February 15, 2019 | 8:00 a.m. | 25 House Building

Members Present:

Sen. Jacob L. Anderegg, Senate Chair
Rep. Eric K. Hutchings, House Chair
Rep. Joel Ferry, House Vice Chair
Sen. Curtis S. Bramble
Sen. David G. Buxton
Sen. Wayne A. Harper
Sen. Derek L. Kitchen
Sen. Daniel McCay
Rep. Cheryl K. Acton
Rep. Kyle R. Andersen
Rep. James A. Dunnigan

Rep. Brian S. King
Rep. Carol Spackman Moss
Rep. Marc K. Roberts
Rep. Angela Romero

Members Absent:

Sen. Lincoln Fillmore

Staff Present:

Ms. Linda Service, Session Secretary
Mr. Gary R. Syphus, Fiscal Analyst
Mr. Alexander R. Wilson, Fiscal Analyst

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

1 . 8:00 a.m.: Call to Order/Approval of Minutes

Senate Chair Anderegg called the meeting to order at 8:28 a.m.

There were no minutes to approve.

MOTION:

House Chair Hutchings moved that under the Attorney General the Restitution Unit be removed and the Secure Prosecutor and Investigator be reprioritized in its place. He moved to change the Telework Initiative amount to \$193,000 ongoing in the Governor's budget and add to the building block list for the Auditor, Transparency Website, a request of \$275,000 one-time and \$150,000 ongoing and get them on the list for discussion. The motion passed with a vote of 14 - 0 - 2.

Yeas-14

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. C. Bramble
Sen. D. Buxton
Rep. J. Dunnigan
Rep. J. Ferry
Sen. W. Harper
Rep. E. Hutchings
Rep. B. King
Sen. D. Kitchen
Rep. C. Moss
Rep. M. Roberts
Rep. A. Romero

Nays-0

Absent-2

Sen. L. Fillmore
Sen. D. McCay

MOTION:

Sen. Bramble moved that the "Executive Offices and Criminal Justice Appropriations Subcommittee Voting Packet" be a starting point for deliberations as amended The motion passed with a vote of 14 - 0 - 2.



Yeas-14

Nays-0

Absent-2

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. C. Bramble
Sen. D. Buxton
Rep. J. Dunnigan
Rep. J. Ferry
Sen. W. Harper
Rep. E. Hutchings
Sen. D. Kitchen
Sen. D. McCay
Rep. C. Moss
Rep. M. Roberts
Rep. A. Romero

Sen. L. Fillmore
Rep. B. King

MOTION: Rep. Dunnigan moved to add Sex Offender Registry to the list at Line Item #25 - \$150,000 to Corrections and \$200,000 to the Attorney General's Office. The motion passed with a vote of 14 - 0 - 2.

Yeas-14

Nays-0

Absent-2

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. C. Bramble
Sen. D. Buxton
Rep. J. Dunnigan
Rep. J. Ferry
Sen. W. Harper
Rep. E. Hutchings
Sen. D. Kitchen
Sen. D. McCay
Rep. C. Moss
Rep. M. Roberts
Rep. A. Romero

Sen. L. Fillmore
Rep. B. King

MOTION: Sen. Bramble moved to add to the list at Line Item #73 a one-time expenditure for a presidential primary - \$3M. The motion passed with a vote of 14 - 0 - 2.

Yeas-14

Nays-0

Absent-2

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. C. Bramble
Sen. D. Buxton
Rep. J. Dunnigan
Rep. J. Ferry
Sen. W. Harper
Rep. E. Hutchings
Sen. D. Kitchen
Sen. D. McCay
Rep. C. Moss
Rep. M. Roberts
Rep. A. Romero

Sen. L. Fillmore
Rep. B. King

MOTION: Sen. Harper motioned to move Line Item #19, Corrections Certified Pay Plan Year 3, to Line Item #7. The motion passed with a vote of 12 - 0 - 4.



Yeas-12

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. D. Buxton
Rep. J. Dunnigan
Sen. W. Harper
Rep. E. Hutchings
Sen. D. Kitchen
Sen. D. McCay
Rep. C. Moss
Rep. M. Roberts
Rep. A. Romero

Nays-0

Absent-4

Sen. C. Bramble
Rep. J. Ferry
Sen. L. Fillmore
Rep. B. King

MOTION:

Sen. Buxton motioned to keep the amount on Line Item #9, Operation Rio Grande-Law Enforcement, but break the money out into several categories leaving \$4M for Rio Grande, and \$1M for Cache, Weber, Utah, and Washington counties to deal with the homeless in those counties. Sen. Buxton withdrew his proposal to break up the Operation Rio Grande funds and spread them out to other counties but added the following intent language: The Legislature intends that law enforcement funding for Operation Rio Grande be used to address related law enforcement issues throughout the state, including other counties as applicable stemming from the Operation Rio Grande project in FY 2019 and FY 2020. The Legislature intends that the Department of Public Safety report to the Executive Office and Criminal Justice Appropriations Subcommittee during the 2019 Interim on the deployment of said funds. The motion passed with a vote of 15 - 0 - 1.

Yeas-15

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. C. Bramble
Sen. D. Buxton
Rep. J. Dunnigan
Rep. J. Ferry
Sen. W. Harper
Rep. E. Hutchings
Rep. B. King
Sen. D. Kitchen
Sen. D. McCay
Rep. C. Moss
Rep. M. Roberts
Rep. A. Romero

Nays-0

Absent-1

Sen. L. Fillmore

MOTION:

Sen. Bramble motioned to move Line Item #49, Statewide Public Life Intelligence Tool, to Line Item #27 The motion passed with a vote of 14 - 1 - 1.



Yeas-14

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. C. Bramble
Sen. D. Buxton
Rep. J. Dunnigan
Rep. J. Ferry
Rep. E. Hutchings
Rep. B. King
Sen. D. Kitchen
Sen. D. McCay
Rep. C. Moss
Rep. M. Roberts
Rep. A. Romero

Nays-1

Sen. W. Harper

Absent-1

Sen. L. Fillmore

MOTION: Rep. Andersen motioned to move Line Item #46, Helicopter, to Line Item #28. The motion failed with a vote of 7 - 7 - 2.

Yeas-7

Rep. C. Acton
Rep. K. Andersen
Sen. D. Buxton
Rep. E. Hutchings
Sen. D. Kitchen
Rep. C. Moss
Rep. A. Romero

Nays-7

Sen. J. Anderegg
Rep. J. Dunnigan
Rep. J. Ferry
Sen. W. Harper
Rep. B. King
Sen. D. McCay
Rep. M. Roberts

Absent-2

Sen. C. Bramble
Sen. L. Fillmore

MOTION: Rep. Dunnigan motioned to move Line Item #20, Hire Additional Judges and Clerks for Third Judicial District, to Line Item #12 - \$950,000 ongoing. The motion passed with a vote of 13 - 0 - 3.

Yeas-13

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. D. Buxton
Rep. J. Dunnigan
Rep. J. Ferry
Sen. W. Harper
Rep. E. Hutchings
Rep. B. King
Sen. D. Kitchen
Rep. C. Moss
Rep. M. Roberts
Rep. A. Romero

Nays-0

Absent-3

Sen. C. Bramble
Sen. L. Fillmore
Sen. D. McCay

SUBSTITUTE MOTION: House Chair Hutchings asked for a substitute motion to move Line Item #20 to Line Item #12. He withdrew his motion.

MOTION: Rep. Dunnigan moved to swap Line Item #48, Judicial Assistant Recruitment and Retention, with Line Item #34, Establish Backup Information Technology Site. The motion passed with a vote of 13 - 0 - 3.



Yeas-13

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. D. Buxton
Rep. J. Dunnigan
Rep. J. Ferry
Sen. W. Harper
Rep. E. Hutchings
Rep. B. King
Sen. D. Kitchen
Rep. C. Moss
Rep. M. Roberts
Rep. A. Romero

Nays-0

Absent-3

Sen. C. Bramble
Sen. L. Fillmore
Sen. D. McCay

MOTION: Rep. Romero motioned to move Line Item #47, Reproductive Health Education for Incarcerated Women, to Line Item #24 The motion failed with a vote of 7 - 6 - 3.

Yeas-7

Rep. K. Andersen
Rep. J. Dunnigan
Rep. J. Ferry
Rep. E. Hutchings
Rep. B. King
Rep. C. Moss
Rep. A. Romero

Nays-6

Rep. C. Acton
Sen. J. Anderegg
Sen. D. Buxton
Sen. W. Harper
Sen. D. McCay
Rep. M. Roberts

Absent-3

Sen. C. Bramble
Sen. L. Fillmore
Sen. D. Kitchen

MOTION: Sen. McCay motioned to move Project Kids to Line Item #74. The motion passed with a vote of 14 - 0 - 2.

Yeas-14

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. D. Buxton
Rep. J. Dunnigan
Rep. J. Ferry
Sen. W. Harper
Rep. E. Hutchings
Rep. B. King
Sen. D. Kitchen
Sen. D. McCay
Rep. C. Moss
Rep. M. Roberts
Rep. A. Romero

Nays-0

Absent-2

Sen. C. Bramble
Sen. L. Fillmore

MOTION: Rep. Roberts moved to swap Line Item #41, Ranked Choice Voting Education for Pilot, with Line Item #35, 2020 Census Outreach. The motion passed with a vote of 11 - 3 - 2.



Yeas-11

Rep. C. Acton
Sen. J. Anderegg
Sen. D. Buxton
Rep. J. Dunnigan
Rep. J. Ferry
Sen. W. Harper
Rep. E. Hutchings
Rep. B. King
Sen. D. McCay
Rep. C. Moss
Rep. M. Roberts

Nays-3

Rep. K. Andersen
Sen. D. Kitchen
Rep. A. Romero

Absent-2

Sen. C. Bramble
Sen. L. Fillmore

MOTION:

House Vice Chair Ferry moved to reduce the amount for Line Item #27, LeRay McAllister Critical Lands Conservation Fund, from \$3M one-time to \$2M one-time and add the following intent language: The Legislature intends all funds appropriated to the LeRay McAllister Critical Lands Conservation Fund be used toward projects that provide highest land conservation values as determined by the Quality Growth Commission and not earmarked toward any specific project. The motion passed with a vote of 14 - 0 - 2.

Yeas-14

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. D. Buxton
Rep. J. Dunnigan
Rep. J. Ferry
Sen. W. Harper
Rep. E. Hutchings
Rep. B. King
Sen. D. Kitchen
Sen. D. McCay
Rep. C. Moss
Rep. M. Roberts
Rep. A. Romero

Nays-0

Absent-2

Sen. C. Bramble
Sen. L. Fillmore

MOTION:

House Vice Chair Ferry motioned to move Line Item #27 to Line Item #16. The motion passed with a vote of 12 - 2 - 2.

Yeas-12

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. D. Buxton
Rep. J. Dunnigan
Rep. J. Ferry
Rep. E. Hutchings
Rep. B. King
Sen. D. Kitchen
Sen. D. McCay
Rep. C. Moss
Rep. A. Romero

Nays-2

Sen. W. Harper
Rep. M. Roberts

Absent-2

Sen. C. Bramble
Sen. L. Fillmore

MOTION:

House Chair Hutchings motioned to swap Line Item #61 from the original chairs priority list, Attorney General 10% Salary Increase, with Line Item #23, Outside Counsel for Sage Grouse Litigation.

**SUBSTITUTE
MOTION:**

Rep. Dunnigan moved a Substitute Motion to move Line Item #61 (now #23) to Line Item #26. The substitute motion passed with a vote of 14 - 0 - 2.



Yeas-14

Nays-0

Absent-2

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. D. Buxton
Rep. J. Dunnigan
Rep. J. Ferry
Sen. W. Harper
Rep. E. Hutchings
Rep. B. King
Sen. D. Kitchen
Sen. D. McCay
Rep. C. Moss
Rep. M. Roberts
Rep. A. Romero

Sen. C. Bramble
Sen. L. Fillmore

MOTION: Rep. Dunnigan restated his earlier motion to replace Privatization Board Staffing on Line Item #25 with Sex Offender Registry - \$150,000 ongoing to Corrections and \$200,000 ongoing to the Attorney General's Office.

MOTION: Senate Chair Anderegg moved to saunter The motion passed with a vote of 14 - 0 - 2.

Yeas-14

Nays-0

Absent-2

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. D. Buxton
Rep. J. Dunnigan
Rep. J. Ferry
Sen. W. Harper
Rep. E. Hutchings
Rep. B. King
Sen. D. Kitchen
Sen. D. McCay
Rep. C. Moss
Rep. M. Roberts
Rep. A. Romero

Sen. C. Bramble
Sen. L. Fillmore

Senate Chair Anderegg resumed the meeting at 10:00 a.m.

MOTION: Rep. Roberts motioned to move the bottom Line Item, Transparency Website, to Line #50 The motion passed with a vote of 12 - 0 - 4.

Yeas-12

Nays-0

Absent-4

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. C. Bramble
Rep. J. Ferry
Sen. W. Harper
Rep. B. King
Sen. D. Kitchen
Sen. D. McCay
Rep. C. Moss
Rep. M. Roberts
Rep. A. Romero

Sen. D. Buxton
Rep. J. Dunnigan
Sen. L. Fillmore
Rep. E. Hutchings

MOTION: House Vice Chair Ferry moved to adopt the revised list and make it the base list. The motion passed with a vote of 12 - 0 - 4.



Yeas-12

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. C. Bramble
Rep. J. Ferry
Sen. W. Harper
Rep. B. King
Sen. D. Kitchen
Sen. D. McCay
Rep. C. Moss
Rep. M. Roberts
Rep. A. Romero

Nays-0

Absent-4

Sen. D. Buxton
Rep. J. Dunnigan
Sen. L. Fillmore
Rep. E. Hutchings

MOTION: Rep. Roberts moved to approve the minutes of the February 1, 2019 meeting. The motion passed with a vote of 12 - 0 - 4.

Yeas-12

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. C. Bramble
Rep. J. Ferry
Sen. W. Harper
Rep. B. King
Sen. D. Kitchen
Sen. D. McCay
Rep. C. Moss
Rep. M. Roberts
Rep. A. Romero

Nays-0

Absent-4

Sen. D. Buxton
Rep. J. Dunnigan
Sen. L. Fillmore
Rep. E. Hutchings

MOTION: Sen. Harper moved to adopt the Intent Language (#1), Study Items (#2), and Aero Bureau (#3) under Other Motions for Consideration. The motion passed with a vote of 12 - 0 - 4.

Yeas-12

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. C. Bramble
Rep. J. Dunnigan
Sen. W. Harper
Rep. B. King
Sen. D. Kitchen
Sen. D. McCay
Rep. C. Moss
Rep. M. Roberts
Rep. A. Romero

Nays-0

Absent-4

Sen. D. Buxton
Rep. J. Ferry
Sen. L. Fillmore
Rep. E. Hutchings

MOTION: The Subcommittee moved the following intent language in relation to the legislator request for appropriation (Rep. Snow) - Supervision Grants for JRI High-Risk Program - \$1,500,00 ongoing: Under section 63J-1-603 of Utah Code, The Legislature intends that appropriations up to \$1,500,00 provided for the Commission on Criminal Juvenile Justice to issue high risk supervision grant programs to counties that demonstrate diversion treatment and supervision programs; Supervision agencies must collect, track, and provide valid measurements of specific data which includes the county's recidivism rate. Grant programs must provide direct case management services which includes but not limited to insurance enrollment, Recovery Support Service (RSS) funding for housing assistance, employment and education assistance, access to medical/dental services and medication assisted treatment. Grant programs must coordinate with the courts to provide timely case status notifications. Agencies shall adopt and utilize a gradual incentive and



sanction matrix according to standards set forth by the Commission on Criminal Juvenile Justice. All unused funds are limited to the same purpose of the original. The motion passed with a vote of 10 - 0 - 6.

Yeas-10

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. C. Bramble
Rep. J. Dunnigan
Sen. W. Harper
Rep. B. King
Sen. D. Kitchen
Rep. C. Moss
Rep. A. Romero

Nays-0

Absent-6

Sen. D. Buxton
Rep. J. Ferry
Sen. L. Fillmore
Rep. E. Hutchings
Sen. D. McCay
Rep. M. Roberts

MOTION:

Sen. Harper moved to swap the new Line Item #7, Hire Staff to Write Pre-Sentence Reports, with Line Item #8, Corrections Certified Pay Plan Year 3. The motion passed with a vote of 10 - 0 - 6.

Yeas-10

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. C. Bramble
Rep. J. Dunnigan
Sen. W. Harper
Rep. B. King
Sen. D. Kitchen
Rep. C. Moss
Rep. A. Romero

Nays-0

Absent-6

Sen. D. Buxton
Rep. J. Ferry
Sen. L. Fillmore
Rep. E. Hutchings
Sen. D. McCay
Rep. M. Roberts

MOTION:

Rep. Moss motioned to move Line Item #72, Voterise, right below Line Item #35, Ranked Choice Voting Education for Pilot. The motion passed with a vote of 7 - 3 - 6.

Yeas-7

Sen. C. Bramble
Rep. J. Dunnigan
Sen. W. Harper
Rep. B. King
Sen. D. Kitchen
Rep. C. Moss
Rep. A. Romero

Nays-3

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen

Absent-6

Sen. D. Buxton
Rep. J. Ferry
Sen. L. Fillmore
Rep. E. Hutchings
Sen. D. McCay
Rep. M. Roberts

MOTION:

Rep. Dunnigan moved to reduce the amount on Line Item #16, Offender Housing, from \$10M to \$4M one-time. The motion failed with a vote of 4 - 6 - 6.

Yeas-4

Sen. C. Bramble
Rep. J. Dunnigan
Sen. W. Harper
Rep. B. King

Nays-6

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. D. Kitchen
Rep. C. Moss
Rep. A. Romero

Absent-6

Sen. D. Buxton
Rep. J. Ferry
Sen. L. Fillmore
Rep. E. Hutchings
Sen. D. McCay
Rep. M. Roberts

MOTION:

Sen. Harper moved to adopt the list as amended. The motion passed with a vote of 10 - 0 - 6.



Yeas-10

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. C. Bramble
Rep. J. Dunnigan
Sen. W. Harper
Rep. B. King
Sen. D. Kitchen
Rep. C. Moss
Rep. A. Romero

Nays-0

Absent-6

Sen. D. Buxton
Rep. J. Ferry
Sen. L. Fillmore
Rep. E. Hutchings
Sen. D. McCay
Rep. M. Roberts

MOTION:

Rep. Bramble moved that items 1 through 8 of the "EOCJ Motions for Consideration" be adopted simultaneously. The motion passed with a vote of 10 - 0 - 6.

Yeas-10

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. C. Bramble
Rep. J. Dunnigan
Sen. W. Harper
Rep. B. King
Sen. D. Kitchen
Rep. C. Moss
Rep. A. Romero

Nays-0

Absent-6

Sen. D. Buxton
Rep. J. Ferry
Sen. L. Fillmore
Rep. E. Hutchings
Sen. D. McCay
Rep. M. Roberts

MOTION:

Sen. Bramble moved to adjourn. Senate Chair Anderegg adjourned the meeting at 10:28 a.m. The motion passed with a vote of 10 - 0 - 6.

Yeas-10

Rep. C. Acton
Sen. J. Anderegg
Rep. K. Andersen
Sen. C. Bramble
Rep. J. Dunnigan
Sen. W. Harper
Rep. B. King
Sen. D. Kitchen
Rep. C. Moss
Rep. A. Romero

Nays-0

Absent-6

Sen. D. Buxton
Rep. J. Ferry
Sen. L. Fillmore
Rep. E. Hutchings
Sen. D. McCay
Rep. M. Roberts